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16 UNITED STATES OF AMERICA

17 UNITED STATES DISTRICT COURT

18 FOR THE CENTRAL DISTRICT OF CALIFORNIA

19 UNITED STATES OF AMERICA, ) CR No. 08-00208-PSG  
20 Plaintiff, )  
21 v. ) GOVERNMENT'S POSITION RE:  
22 CALVIN THOMAS, ) SENTENCING OF DEFENDANT CALVIN  
23 Defendant. ) THOMAS  
24 ) Sentencing Date: June 1, 2009  
25 ) Sentencing Time: 10:00 am  
26 )  
27 )  
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29 Plaintiff, by and through its attorney of record, the United  
30 States Attorney for the Central District of California, hereby  
31 files its position regarding sentencing of defendant Calvin  
32 Thomas.

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1       The government's position is based upon the attached  
2 Position, the files and records in this case, and upon such  
3 further evidence and argument as may be presented at the  
4 sentencing hearing.

5  
6 DATED: May 6, 2009

Respectfully submitted,

7                     THOMAS P. O'BRIEN  
8                     Acting United States Attorney

9                     CHRISTINE C. EWELL  
10                    Assistant United States Attorney  
11                    Chief, Criminal Division

12                  By \_\_\_\_\_/s/ \_\_\_\_\_  
13                  REEMA M. EL-AMAMY  
14                  Assistant United States Attorney

15                  Attorneys for Plaintiff  
16                  United States of America

1                   GOVERNMENT'S POSITION RE: SENTENCING

2       On March 6, 2009, defendant Calvin Thomas ("defendant"),  
3 pled guilty to Count two of the First Superseding Indictment.  
4 Count two charges 21 U.S.C. § 856: Maintaining a Drug Involved  
5 Premise. As part of the plea agreement that the government  
6 agreed to dismiss the remaining counts of the First Superseding  
7 Indictment, and to recommend that defendant be sentenced to a  
8 term of imprisonment at the low-end range, provided the range is  
9 6 or higher.

10      The government has received the Presentence Report ("PSR"),  
11 and has no objections to its contents. The PSR calculates the  
12 following Sentencing Guideline Range:

13 Base Offense Level:	8
14 Specific Offense Characteristics:	0
15 Adjusted Offense Level:	8
16 Acceptance of Responsibility:	-2
17 Criminal History Category:	VI
18 Guideline Range:	12-18 months
19 Supervised Release:	2-3 years
20 Fine:	\$2,000 - \$500,000
21 Special Assessment:	\$100

22      The government recommends that Defendant be sentenced at the  
23 low end of the guideline range, to include 12 months of  
24 imprisonment, and three years of supervised release. This  
25 sentence takes into consideration the 18 U.S.C. § 3553(a)  
26 factors, and is not greater than necessary to achieve those  
27 goals. It reflects the very serious nature of the offense,  
28 promotes respect for the law, provides just punishment for a

1 serious offense, and affords adequate deterrence to defendant's  
2 conduct in a manner that a lower sentence would not. The  
3 government does not recommend the imposition of a fine.

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